

REMARKS

Claims 1-14 have been canceled.

New claims 15-19 have been presented. Support for new claim 15 can be found in previous claim 1 and page 6 of Applicants' specification. Support for claims 16-19 can be found in previous claims 2, 5, 7 and 8.

Upon entry of the Amendment, claims 15-19 will be pending.

Claims 1, 2, 5 and 7-14 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

The Examiner asserts that it is not clear what the phrase "wherein in an amount of from 55 to 60% by mol based on total structural units" refers to.

Claims 1, 2, 5 and 7-14 have been canceled rendering this rejection moot.

Applicants have submitted new claims 15-19, which include the subject matter of claims 1, 2, 5, 7 and 8, respectively.

Claim 19 recites, "wherein structural unit (I) is in an amount of 55 to 60% by mol based on total structural units."

In view of the foregoing, Applicants submit that claims 15-19 are clear and definite. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1, 2, 5, and 7-8 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Stack et al. ("Stack").

Claims 9-14 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Stack et al. ("Stack") in view of the "admitted" prior art.

Claims 1, 2, 5, 7-8, and 9-14 have been canceled rendering each of the foregoing rejections moot.

Applicants have submitted new claims 15-19, which include the subject matter of claims 1, 2, 5, 7 and 8, respectively.

Applicants submit that Stack does not disclose or suggest "a step of reacting 1,4-naphthalenedicarboxylic acid with acylated substances of p-hydroxybenzoic acid and hydroquinone in the presence of an imidazole compound in the amount of 100 to 1000 ppm...." Accordingly, Applicants submit that for at least this reason, new claims 15-19 would not be anticipated by Stack alone or obvious over Stack in view of the "admitted" prior art.

Additionally, in the Examiner's "Response to Arguments," the Examiner asserts that Stack teaches a narrower range of phydroxybenzoic acid (PHB) (Applicants' structural unit (I) of 42.8 mol% to 61.4 mol%). However, this is not the case. Stack teaches a broad range of PHB of 17 to 67 mol %. The examples use an amount of 42.8 mol% and 61.4 mol% PHB, both amounts fall within the broad range of PHB disclosed in Stack, but no where in Stack is there a teaching of a narrower range of 42.8 mol% to 61.4 mol% PHB and the Examiner cannot take the amounts of PHB that are used in the examples in Stack to formulate such a range.

Further, the Examiner asserts that Stack discloses the molar ratio of structural units of (III)/(IV) of from (80/20) to (20/80), as claimed in Applicants' claim 7.

Stack discloses terephthalic acid (T) and 2,6-naphthalenedicarboxylic acid (N) are in a molar ratio range of 40:60 and 90:10. The examples disclosed in Stack use a ratio of N:T of

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Amendment under 37 C.F.R. § 1.114(c)

70:30 (Example 1), 80:20 (Example 8) and 71:29 (Example 10). These ratios of N:T used in the Examples of Stack are within the broad range of N:T disclosed in Stack (40:60 to 90:10), but Stack does not teach a narrow range of N:T of 80/20 to 20/80 and the Examiner cannot take the amounts of N:T used in the examples in Stack to formulate such a range.

In view of the foregoing, Applicants submit that the claimed invention is not anticipated by Stack alone or obvious over Stack in view of the "admitted" prior art. Reconsideration and withdrawal of each of the foregoing rejections is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

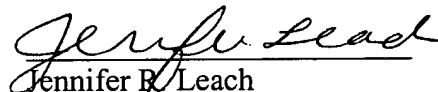
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Respectfully submitted,


Jennifer R. Leach
Registration No. 54,257

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